

DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION

As the below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled APPARATUS FOR, AND METHOD OF, DETERMINING THE CONDITION OF A PATIENT'S HEART, the specification of which  
(check one)

☒ is attached hereto

☐ was filed on \_\_\_\_\_

Application Serial No. \_\_\_\_\_

and was amended on (or amended through) \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Sec. 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under Title 35, United States Code, Sec. 119 (a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed:

## Prior Foreign Application(s)

<u>Number</u>	<u>Country</u>	<u>Foreign Filing Date</u> <u>MM/DD/YYYY</u>	<u>Priority Claimed</u>	
			<u>Yes</u>	<u>No</u>
NONE				

I hereby claim the benefit under Title 35, United States Code, Sec. 119(e) of any United States provisional application(s) listed below:

<u>Provisional</u> <u>Appln. Serial No(s).</u>	<u>Filing Date</u> <u>MM/DD/YYYY</u>	<u>Status (patented, pending, abandoned)</u>
NONE		

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith:

RICHARD A. BARDIN, Reg. No. 20,365; CRAIG B. BAILEY, Reg. No. 28,786; I. MORLEY DRUCKER, Reg. No. 19,751; PAUL Y. FENG, Reg. No. 35,510; JOHN K. FITZGERALD, Reg. No. 38,881; JOHN V. HANLEY, Reg. No. 38,171; GUNTHER O. HANKE, Reg. No. 32,989; JAMES JUO, Reg. No. 36,177; LISA A. KARCZEWSKI, Reg. No. 53,096; GILBERT G. KOVELMAN, Reg. No. 19,552; THOMAS H. MAJCHER, Reg. No. 31,119; DAVID G. MAJDALI, Reg. No. 53,257; JOHN S. NAGY, Reg. No. 30,664; PAUL D. O'BRIEN, Reg. No. 42,949; DAVID G. PARKHURST, Reg. No. 29,422; JAMES W. PAUL, Reg. No. 29,967; RONALD E. PEREZ, Reg. No. 36,891; DOUGLAS R. PETERSON, Reg. No. 53,458; DAVID J. PITMAN, Reg. No. 48,777; ELLSWORTH R. ROSTON, Reg. No. 16,310; THOMAS A. RUNK, Reg. No. 30,679; DAVID S. SARISKY, Reg. No. 41,288; HOWARD N. SOMMERS, Reg. No. 24,138; ERICK P. WOLF, Reg. No. 53,787; and VERNON YANCY, Reg. No. 52,379.

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Date: 9/10 2003

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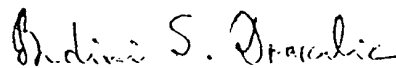
## ASSIGNMENT

WHEREAS, I, BUDIMIR DRAKULIC, of the County of Los Angeles, State of California, has invented certain new and useful improvements in APPARATUS FOR, AND METHOD OF, DETERMINING THE CONDITION OF A PATIENT'S HEART, for which I have today executed application papers for the United States Letters Patent thereon; and

WHEREAS, RECOM MANAGED SYSTEMS, INC., a corporation of the State of Delaware, hereinafter called Assignee and having its offices and place of business at 600 17<sup>th</sup> Street, Suite 2700 South, Denver, Colorado 80202, Attention: Jon Sawyer, Esq., is desirous of acquiring the entire right, title and interest in and to the aforesaid invention and in and to any and all Letters Patent therefor granted in the United States of America, and in any and all countries foreign thereto;

NOW, THEREFORE, TO WHOM IT MAY CONCERN, be it known that, for and in consideration of the sum of One Dollar (\$1.00) to me in hand paid by the said Assignee, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, I, BUDIMIR DRAKULIC, by these presents do sell, assign and transfer unto said Assignee, its successors, assigns and legal representatives the full and exclusive right, title and interest for the territory of the United States of America and all countries foreign thereto (including the right to apply for Letters Patent in foreign countries in its own name and to claim any priority rights for such foreign applications to which such applications are entitled under international conventions, treaties, or otherwise), in and to said invention as described in said application, and in and to all Letters Patent granted therefor, and all divisions, reissues and continuations thereof, and I hereby authorize and request the Commissioner of Patents to issue all Letters Patent on said inventions or resulting therefrom to said Assignee, as assignee of the entire right, title and interest, and I covenant that I have full right so to do and agree that I will communicate to said Assignee, or its successors, any and all facts known to me regarding said invention whenever requested and will testify in any legal proceeding, sign all lawful papers, execute all divisional, reissue and continuation applications, and generally do everything possible to aid said Assignee, its successors and assigns, to obtain and enforce proper patent protection for said invention in all countries.

Executed this 10 day of SEPTEMBER, 2003.



BUDIMIR DRAKULIC